

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-against- :

21-CR-603 (VEC)

PATRICK KHAZIRAN, :

Defendant. :

ORDER

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VALERIE CAPRONI, United States District Judge:

On February 7, 2023, Patrick Khaziran (“Defendant”) was sentenced principally to a term of imprisonment of 30 months following his plea of guilty to conspiracy to commit health care fraud pursuant to 18 U.S.C. § 1349. Defendant’s sentencing guidelines range was 30 to 37 months’ imprisonment, based on an offense level of 19 and a criminal history category of I. The Bureau of Prisons currently projects that Defendant will be released from prison on June 12, 2025.

Effective November 1, 2023, in its Amendment 821, the United States Sentencing Commission (the “Sentencing Commission”) amended the United States Sentencing Guidelines Manual in two respects. Part A amends Guidelines § 4A1.1, by reducing from two (2) points to one (1) point the upward adjustment for offenders who committed the instant offense while under any criminal sentence, and by limiting this adjustment to defendants who received seven (7) or more criminal history points. Part B, as relevant here, amends Guidelines § 4C1.1, by providing a 2-level offense level reduction for offenders with zero (0) criminal history points who meet specified eligibility criteria. The Sentencing Commission made these amendments

retroactive effective November 1, 2023. Defendants whose requests are granted by the courts can be released from prison no earlier than February 1, 2024.

On November 15, 2023, Defendant made a motion for reduction in his sentence. *See* Def. Mot., Dkt. 1153. The Probation Department has issued a report indicating that Defendant is eligible for a reduction. *See* Revised PSR, Dkt. 1191.

IT IS ORDERED that no later than **Tuesday, January 2, 2024**, the Government shall file a statement of its position on the motion for modification of the Defendant's sentence.

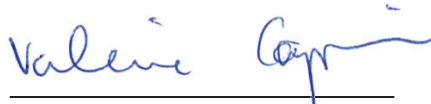
IT IS FURTHER ORDERED that Defendant shall file his reply, if any, no later than **Tuesday, January 16, 2024**.

The Court's intention, unless it orders otherwise, is to resolve this motion based on the parties' written submissions.

SO ORDERED.

SO ORDERED.

Date: December 4, 2023
New York, New York



VALERIE CAPRONI
United States District Judge